

ENVIRONMENTAL PROTECTION COMMISSION
DRAFT MINUTES
SPECIAL MEETING
OCTOBER 23, 2003

The meeting was called to order at 7:35 p.m. in the Auditorium of the Darien Town Hall.

Commission Members Present: Susan Cameron, David Dineen, Reese Hutchison and Nina Miller

Staff Present: Nancy Sarner

Acting Chairwoman Nina Miller read the following agenda item:

EPC-95-2003, Gerald A. & Joanne T. Nielsen, 34 Delafield Island Road, proposing the widening of a driveway, replacement of an existing culvert and headwall, new landscaping and stonewall, modification of an existing swimming pool patio, and perform related site development activities within a regulated area. The property is located on the east side of Delafield Island Road approximately 1,400 feet south of the intersection of Locust Hill Road and Delafield Island Road, shown on Tax Assessor's Map #64 as Lot #85.

Landscape Architect Robert Sherwood presented the application. Mr. Nielsen, who addressed questions from the Commission, joined him. Mr. Sherwood summarized that the application proposes the rehabilitation of the driveway and pool terrace, and installation of a new culvert and walkway. The existing culvert had collapsed. No fill would be needed except for some minor backfill behind the 2-foot retaining wall. A new base for the driveway would be installed. No tree removal is required.

Ms. Miller asked about the location of the pool. Mr. Sherwood replied that the 30-year old pool is located on a hill approximately 20 feet from the wetlands. It is separated from the wetlands by a retaining wall.

Ms. Miller recommended that a planted buffer be established along the pond's edge, especially near the pavement areas. Mr. Sherwood stated that he could add groupings of wetlands edge plantings in key areas, especially near the headwall.

Ms. Miller inquired to the location of the septic system. Mr. Nielsen replied that it was located in the back yard.

Ms. Miller asked Mr. Nielsen about the type of pool filter used for the pool. Mr. Nielsen replied that it is a new filter that has been replaced two years ago, and he has never seen backwash from the system.

Upon further review and discussion of the materials and plans presented, the following motion was made: That the Commission approve with stipulations Wetland Permit Application #95-2003. The application is approved with the condition that a planting plan be approved by Commission staff prior to the commencement of work activity. The planting plan should incorporate the creation of wetland pockets (average of 5 feet in width) along the pond's edge, including the area adjacent to the new headwall and culvert. The plantings should create buffer

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areas to filter out most herbicides, insecticides, and fertilizers used on the lawn area from stormwater runoff before it enters the pond thereby protecting the pond from nutrient overload and changes in edge and aquatic plant communities, and should support a greater variety of beneficial insects and microorganisms. The work activity shall conform to the revised plans entitled: "Site Sketch Plan, Nielsen Residence, Delafield Island Road, Darien, CT" by Robert M. Sherwood, L.A., dated 8/25/2003, and last revised 10/21/2003. The motion was made by Ms. Cameron, seconded by Mr. Hutchison, and unanimously approved.

Acting Chairwoman Nina Miller read the following agenda item:

EPC-96-2003, Thomas & Sophie Murphy, 10 Sylvan Road, proposing the installation of an automatic pool cover, modification of an existing pool patio, installation of dry wells, and perform related site development activities within a regulated area. The property is located on the south side of Sylvan Road approximately 376 feet west of the intersection of Brookside Road and Sylvan Road, shown on Tax Assessor's Map #11 as Lot #25.

Thomas Murphy, property owner, and Ron Falcioni of Darien Pool Service presented the application to the Commission.

Mr. Murphy explained that he proposed the installation of a automatic pool cover to address safety concerns, and reviewed the proposed plan, noting that part of the existing pool and patio are located within the regulated 50-foot wetlands setback. He said that the cover mechanism would be installed at the far end, or shallow end, of the pool. The installation would require some minor excavation to remove a section of the existing concrete pool apron to square off an end and to install the electric lines and dry well. Mr. Falcioni added that the 20-inch deep by 24-inch wide dry well would be surrounded by gravel and would collect rainwater that might enter the box for the pool cover.

Ms. Cameron inquired to safety pool fencing. Mr. Murphy replied that the pool fence would be located around the pool patio, and added he was seeking approval for some plantings as well.

Mr. Murphy reported that the existing sand filter would be removed. He said that they considered using a diatomaceous earth filter, but found that it requires a lot of thorough cleaning. He said that Mr. Falcioni had recommended the use of a cartridge filter that can run all season, instead of the diatomaceous earth filter.

Mr. Hutchison asked when the cover would be closed. Mr. Murphy replied that it would be closed whenever they are not using the pool, and added that the fence would have a key.

Mr. Hutchison asked if the amount of pool chemicals would be increased after the installation of the cover. Mr. Murphy replied that they would use less chemicals and water since the cover would protect the pool water.

Ms. Cameron asked if deer, which have sharp hooves, would fall through or become trapped in the cover. Mr. Murphy replied that deer might cut the cover, but would not go through it.

Ms. Miller noted that the eastern watercourse channel required some cleaning. Mr. Murphy replied that it could be cleaned when they hope to start the following week.

Ms. Cameron inquired about the pool fencing. Mr. Murphy replied that the fence would be installed after the work is completed, and would be a pre-painted wooden fence.

Upon further review and discussion of the materials and plans presented, the following motion was made: That the Commission approve with stipulations Wetland Permit Application #96-2003. The application was approved with the following conditions:

1. That a planting plan be approved by Commission staff prior to the commencement of work activity. The planting plan should incorporate native and non-invasive species.
 2. That the eastern water channel/ditch be cleaned by hand of accumulated sand and debris.
- The work activity shall conform to the plan entitled: "Side Planting Plan, rev. 1 – Murphy Residence, 10 Sylvan Road, Darien, CT" by Round Hill Landscape LLC, dated August 2003. The motion was made by Mr. Dineen, seconded by Ms. Cameron and unanimously approved.

Acting Chairwoman Nina Miller read the following agenda item:

Discussion and Possible Decision of EPC-93-2003, Foster Kaali-Nagy, 59 Five Mile River Road:

The Commission postponed the discussion of the EPC-9-3-2003 because they did not have a quorum of members that sat for the public hearing.

Acting Chairwoman Nina Miller read the following agenda item:

Amendment of EPC-28-2002, Grove Street Plaza, LLC, 14 & 20 Grove Street, proposing to install 20' +/- stone riprap at the headwall, and relocate a catch basin and perform related site development activities within a regulated area. The properties are located on the northwest side of Grove Street north of the intersection of Grove Street and Brook Street, shown on Tax Assessor's Map #73 as Lots #21, 22, 23 & 24.

Leonard D'Andrea, P.E., presented the permit amendment request to the Commission. He explained that during the replacement of the culvert, they recognized that additional improvements were needed. They found that the existing headwall was undersized and fragile, and decided that it would be an opportune time to change the headwall and add riprap to the channel. Due to the high groundwater problem, a clay collar would be used for the culvert. The riprap would be placed at the entrance of the culvert. The footing excavation from the headwall at the parking lot edge would be removed when the riprap is installed. Ms. Cameron recommended that, in order to provide aeration, natural (not flat) stone is used for the riprap.

Mr. D'Andrea read the October 21, 2003 memorandum from Darren Oustafine, Deputy Director of Public Works.

Ms. Sarner reported that she spoke with First Selectman Bob Harrel, who granted verbal permission for the work to occur on the town-owned property.

Upon further review and discussion of the materials and plans presented, the following motion was made: That the Commission approve the permit amendment request as submitted. The work is approved as shown on the entitled "Proposed Utility, Sewer, and Drain Connections, Grove Street Plaza; Grove Street Plaza, LLC, Grove Street, Darien, Connecticut," Sheet 3 and 4

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of 5, by Rocco V. D'Andrea, Inc, last revised 10-15-03. The motion was made by Ms. Cameron, seconded by Ms. Miller, and unanimously approved.

The Commission postponed the discussion and approval of the meeting minutes from September 3, 2002 and September 17, 2003.

Adjournment: Having no further business to attend to, the Commission adjourned the October 23, 2003 meeting at 8:45 p.m.

Respectfully submitted,

Nancy H. Sarner
Environmental/GIS Analyst